



PATENT
Atty. Dkt. No. 080618-0237

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John P. Cooke et al.
Title: ENHANCEMENT OF VASCULAR FUNCTION BY MODULATION
OF ENDOGENOUS NITRIC OXIDE PRODUCTION OR ACTIVITY
Appl. No.: 10/618,835
Filing Date: 07/15/2003
Examiner: J. Russel
Art Unit: 1654

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under 37 CFR §§ 1.56 and 1.97(b), Applicants bring to the Examiner's attention the documents on the attached SB/08. This information Disclosure Statement is being filed before the mailing date of a first Office action on the merits for the above-referenced application.

Copies of the listed documents are attached and submitted with the European Search Report of 02-05-2004, (7 pages) on which they were cited. The European application claims priority to U.S. Application no. 08/556,035, filed 11-09-1995, now U.S. Pat. No. 5,891,459 and U.S. Application no. 08/695,792, filed 08-12-1996, issued as U.S. Pat. No. 5,852,058.

The '035 application is part of this family, as shown by the underlined portion of the family chain, which is reproduced here: This application is a continuation of application no. 10/060,252, filed 02-01-2002, now US Pat. No. 6,646,006, which application is a continuation of application no. 09/930,833, filed 08-15-2001, now U.S. Pat. No. 6,642,208, which application is a continuation of application no. 09/075,509, filed 05-08-1998, now U.S. Pat. no. 6,337,321, which application is a continuation of application no. 08/556,035, filed

11-09-1995, now U.S. Pat. No. 5,891,459, which application is a continuation-in-part of application no. 08/336,159, filed 11-08-1994, now abandoned, which application is a continuation-in-part of application no. 08/076,312, filed 06-11-1993, now U.S. Pat. No. 5,428,070.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or to credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

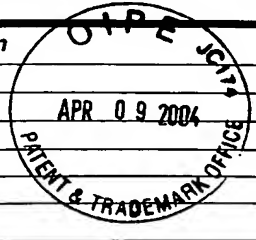
Date 4/9/4

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: April 9, 2004 (use as many sheets as necessary)				Complete if Known Application Number: 10/618,835 Filing Date: 07/15/2003 First Named Inventor: John P. Cooke Group Art Unit: 1654 Examiner Name: J. Russel Attorney Docket Number: 080618-0237	
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	D1	5,372,807		POIANI et al.	12-13-1994	
	D2	5,278,189		RATH et al.	01-11-1994	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	D3		WO 88/01872		Dudrick Medical Research	03-24-1988	
	D4		EP 0 483 614 A		NB Int'l. Technologies	05-06-1992	
	D5		WO 94/16729 A		Neorx Corporation	08-04-1994	
	D6		GB 953,997		AEC Chim. Organ. Biolog.	04-02-1964	
	D7		EP 0 546 796 A1		Ajinomoto Co., Inc.	06-16-1993	
	D8		WO 94/28721 A		Univ. Leland Stanford Jr.	12-22-1994	
	D9		GB 1,304,499		Tixier, Madeleine	01-24-1973	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	D10	RIBEIRO, ALDA, et al., "Arginine-Lysine Combination in Immunodepressed Elderly Patients, Long-Term Controlled Trial," <i>Clinical Trials Journal</i> 1986, United Kingdom, vol. 23, no. 3, pp. 185-192.	
	D11	IGNARRO, LOUIS J., et al., "Basic Polyamino Acids Rich in Arginine, Lysine, or Ornithine Cause Both Enhancement of and Refractoriness to Formation of Endothelium-Derived Nitric Oxide in Pulmonary Artery and Vein," <i>Circulation Research</i> , vol. 64, no. 2, 1989, pages 315-329.	

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Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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